

17236 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
33026

Total Pages in this Submission
298

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

SUBTELOMERIC DNA PROBES AND METHOD OF PRODUCING SAME

and invented by:

ROGAN, Peter
KNOLL, Joan

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Which is a:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Which is a:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. Filing fee as calculated and transmitted as described below
2. Specification having 63 pages and including the following:
 - a. Descriptive Title of the Invention
 - b. Cross References to Related Applications (*if applicable*)
 - c. Statement Regarding Federally-sponsored Research/Development (*if applicable*)
 - d. Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
 - e. Background of the Invention
 - f. Brief Summary of the Invention
 - g. Brief Description of the Drawings (*if filed*)
 - h. Detailed Description
 - i. Claim(s) as Classified Below
 - j. Abstract of the Disclosure

03945 U.S. PTO
10/676248

093003

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Application Elements (Continued)

3. Drawing(s) (*when necessary as prescribed by 35 USC 113*)
 - a. Formal Number of Sheets 19
 - b. Informal Number of Sheets _____
4. Oath or Declaration
 - a. Newly executed (*original or copy*) Unexecuted
 - b. Copy from a prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)
 - c. With Power of Attorney Without Power of Attorney
 - d. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. Incorporation By Reference (*usable if Box 4b is checked*)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. Application Data Sheet (See 37 CFR 1.76)
8. Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all must be included*)
 - a. Computer Readable Form (CFR)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. Paper
 - c. Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(B) Statement (when there is an assignee)
11. English Translation Document (if applicable)
12. Information Disclosure Statement/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Certificate of Mailing
 First Class Express Mail (*Specify Label No.*): EV 343764627 US

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Acc mpanying Application Parts (Continued)

17. Applicant claims small entity status. See 37 CFR 1.27.
 (Optional) Small Entity Statement(s) - Specify Number of Statements Submitted: _____

18. Additional Enclosures (*please identify below*):

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

19. Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	40	- 20 =	20	x \$9.00	\$180.00
Indep. Claims	7	- 3 =	4	x \$42.00	\$168.00
Multiple Dependent Claims (check if applicable)	<input type="checkbox"/>				\$0.00
				BASIC FEE	\$370.00
OTHER FEE (specify purpose)					\$0.00
				TOTAL FILING FEE	\$718.00

A check in the amount of _____ to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge and credit Deposit Account No. **19-0522** as described below. A duplicate copy of this sheet is enclosed.

- Charge the amount of **\$718.00** as filing fee.
- Credit any overpayment.
- Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: September 30, 2003



Signature

Tracey S. Truitt, Reg. No. 43,205
 HOVEY WILLIAMS LLP
 2405 Grand Blvd., Suite 400
 Kansas City, Missouri 64108
 816/474-9050



23589

PATENT TRADEMARK OFFICE

cc:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

ROGAN, PETER et al.

Serial No. :

Filed: September 30, 2003

SUBTELOMERIC DNA PROBES AND
METHOD OF PRODUCING SAME

Docket No. 33026

Group Art Unit No.

Examiner:

Commissioner of Patents
Alexandra, VA 22313-1450

Sir:

TRANSMITTAL

Transmitted herewith are: Express Mail Transmittal (1 page); Utility Patent Application Transmittal (4 pages); Patent Application (63 pages); Color Drawing Sheets- Figs 1-15 (3 each for a total of 45 pages); 2 Black and White Drawing Sheets (2 pages); Color Drawing Sheets - Figs 18-19 (3 each for a total of 6 pages); Sequence Transmittal (1 page); Sequence Statement (1 page); Sequence Listing (167 pages); 2 CD's; Petition to Submit Color Drawings (1 page); Form 1449 (1 page); 3 references; return postcard.

EV 343764627 US

Respectfully submitted,

Date: September 30, 2003

By 
Tracey S. Truitt, Reg. No. 43,205
HOVEY WILLIAMS, LLP
2405 Grand Boulevard, Suite 400
Kansas City, Missouri 64108
816/474-9050

ATTORNEYS FOR APPLICANT(S)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

ROGAN, PETER et al.

Serial No. :

Filed: September 30, 2003

SUBTELOMERIC DNA PROBES AND
METHOD OF PRODUCING SAME

Docket No.33026

Group Art Unit No.

Examiner:

Commissioner of Patents
Alexandra, VA 22313-1450

Sir:

PETITION TO THE COMMISSIONER
UNDER 37 CFR § 1.84(a) (2) TO ACCEPT COLOR DRAWINGS

Applicant hereby petitions the Commissioner of Patents and Trademarks, under 37 CFR § 1.84(a)(2) to accept these color drawings into the above-referenced application.

Enclosed herewith are Figs. 1-15 and Figs. 18-19 consisting of three (3) sets of color drawings each to be entered into the above-referenced application. Applicant requests favorable consideration of this petition.

Any fees which are due in connection with this Petition should be applied against our Deposit Account No. 19-0522.

Respectfully submitted,

By



Tracey S. Truit, Reg. No. 43,205
HOVEY WILLIAMS LLP
2405 Grand Boulevard, Suite 400
Kansas City, Missouri 64108
816/474-9050

ATTORNEYS FOR APPLICANT(S)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Docket No. 33026
ROGAN, Peter K., et al.	
Application No. :	Unit No.
Filed: September 30, 2003	
SUBTELOMERIC DNA PROBES AND METHOD OF PRODUCING SAME	Examiner:

Commissioner for Patents
Mail Stop SEQ
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL LETTER

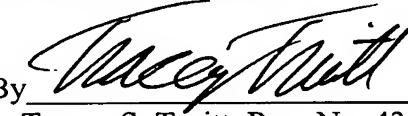
Transmitted herewith are two CD-Rs ("compact disks-write once") labeled and hereafter referred to as CRF 1 and CRF 2.

CRF 1 and CRF 2 each contain an identical copy of a computer program listing appendix associated with and incorporated by reference into the above-identified non-provisional utility application. The machine format of each CD-R is IBM-PC; and the operating system compatibility is MS-Windows.

CRF 1 and CRF 2 each contain identical copies of the following ASCII files:

Filename	Size (Bytes)	Date of Creation
US3302~1.TXT	329 kb	09/30/03

Respectfully submitted,

By 
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ATTORNEYS FOR APPLICANT(S)